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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JULIO CESAR CHAVEZ, JR.,

Plaintiff/Petitioner,

vs.

BOB BENNETT, Executive Director for the
Athletic Commission of the Department of
Business and Industry, State of Nevada; and
NEVADA STATE ATHLETIC
COMMISSION

Defendants/Respondents.

Case No.: **2:19-cv-02105-JAD-VCF**

**ORDER GRANTING
STIPULATION TO REMAND**

[ECF No. 4]

COMES NOW, Plaintiff/Petitioner JULIO CESAR CHAVEZ, JR., by and through, ROSS C. GOODMAN, ESQ., Goodman Law Group, P.C., and Defendants Bob Bennett, Executive Director for the Athletic Commission of the Department of Business and Industry, State of Nevada, and Nevada State Athletic Commission (collectively hereinafter "Defendants"), by and through, CRAIG A. NEWBY, ESQ., Deputy Solicitor General, Office of the Attorney General, hereby stipulate and agree as follows:

1. On December 2, 2019, Plaintiff filed a Verified Complaint for Declaratory and Injunctive Relief along with an Application for a Temporary Restraining Order and Motion for

1 Preliminary Injunction.

2 2. On December 4, 2019, the state court judge granted Plaintiff's order shortening
3 time, scheduling a hearing on December 12, 2019 at 9:00 a.m. for Plaintiff's Application for
4 Temporary Restraining Order and Motion for Preliminary Injunction.

5 3. On December 9, 2019, Defendants filed a Notice of Removal pursuant to 28 U.S.C.
6 § 1441(a).

7 4. On December 10, 2019, Plaintiff filed an amended complaint as a matter of course
8 pursuant to Rule 15(a), Federal Rules of Civil Procedure, removing any claims of
9 violations of substantive due process under the United States Constitution.

10 5. On December 10, 2019, Plaintiff's counsel contacted Defendants counsel pursuant
11 to Local Rule 7-4 in an attempt to avoid filing an Emergency Motion to Remand.

12 6. On December 11, 2019, the parties met and conferred and agreed that there is no
13 longer a federal question and stipulate to remand this matter to state court.

14 7. Plaintiff's counsel is seeking to re-notice the hearing in state court in advance of
15 the super middleweight contest scheduled on December 20, 2019 at Talking Stick Resort Arena in
16 Phoenix, Arizona, which Plaintiff contends is at risk of cancellation due to Defendants extending
17 the temporary suspension against Plaintiff.
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19
20

21 DATED: December 11, 2019

DATED: December 11, 2019

22 /s/ Ross C. Goodman, Esq.
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24 520 South Fourth Street, 2nd Floor
25 Las Vegas, Nevada 89101
Attorney for Plaintiff

/s/ Craig A. Newby, Esq.
Craig A. Newby, Esq., Bar No. 8591
100 N. Carson Street
Carson City, Nevada 89701
Attorneys for Defendants

ORDER

Pursuant to the above stipulation of the parties,

IT IS HEREBY ORDERED that this case is remanded to the Eighth Judicial District Court, Clark County.



U.S. District Judge Jennifer A. Dorsey

Dated: December 11, 2019

Respectfully submitted by:

/s/ Ross C. Goodman, Esq.
Ross C. Goodman, Esq.,
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Attorney for Plaintiff